

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**DENNIS LEWIS, et al.,
Plaintiffs,**

v.

Case No. 05C1008

**JOHN MICHAEL STRAKA, et al.,
Defendants.**

DECISION AND ORDER

Plaintiffs bring this putative class action alleging that CIB Marine Bankshares, Inc. ("CIB"), a bank holding company headquartered in Wisconsin, and individuals who held leadership positions in the company (collectively "CIB defendants" or "defendants") violated §§ 10(b) and 20(a) of the Securities and Exchange Act of 1934, 15 U.S.C. §§ 78j(b) and 78t and Rule 10b-(5). 17 C.F.R. § 240.106-5. Currently pending before me is plaintiffs' motion to amend their response to defendants' motion to dismiss to add CIB's 2003 10-K report. Defendants have filed a brief opposing plaintiffs' motion on the ground that the report is not relevant. However, given that defendants have provided the court with copies of CIB's 10-K reports for prior years, I will permit plaintiffs to amend their response to include this report and determine its relevance to my resolution of defendants' motion to dismiss at a later time.

Therefore,

IT IS ORDERED that plaintiffs' request to amend their response to defendants' motion to dismiss is **GRANTED**.

Dated at Milwaukee, Wisconsin this 30 day of September, 2006.

/s_____
LYNN ADELMAN
District Judge